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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/508,344	06/28/2005	Takeshi Arai	ITO-C477	5730

7590 02/27/2009  
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625 Slaters Lane, Fourth Floor  
Alexandria, VA 22314-1176

EXAMINER
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WU, IVES J

ART UNIT	PAPER NUMBER
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1797

MAIL DATE	DELIVERY MODE
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02/27/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<i>Office Action Summary</i>	Application No.	Applicant(s)	
	10/508,344	ARAI, TAKESHI	
	Examiner	Art Unit	
	IVES WU	1797	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2008.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 18-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-15 is/are allowed.
- 6) ☒ Claim(s) 18-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

#### DETAILED ACTION

(1). Applicant's Request-for-Continued Examination (RCEX), modified page of Specification, Amendments and Remarks filed on 01/09/2009 have been received.

Claims 1 is amended. Claims 16-17 are cancelled.

The objection to Specification in prior Office Action dated 10/09/2008 is withdrawn in view of the current updated Specification.

The rejections of claims 16-17 in prior Office Action dated 10/09/2008 is withdrawn accordingly.

The rejection of claims 1-17 in prior Office Action dated 10/9/2008 is withdrawn in view of the current Amendments and Remarks.

#### *Specification*

(2). The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

In claim 1, it recites: wherein said spray means is an annular member with a plurality of nozzles which spray the water horizontally into the inner circumferential surface of said main body and onto the outer circumferential surface of said partition wall, thereby wetting the inner circumferential surface and the outer circumferential surface 360 degrees around. This limitation is not literally supported in Applicant's Specification.

#### *Claim Rejections - 35 USC § 112*

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

(3). The 112 1<sup>st</sup> rejection of claims 18-20 in prior Office Action dated 10/09/2008 is sustained. . Claims 18-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply

with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In claims 18-20, it recites: filter is dry. It is not supported literally in Applicant's Specification. Therefore, claims 18-20 are rejected because of new matter.

#### *Response to Arguments*

(4). Applicant's arguments, see pages 8 & 9, filed 01/09/2009, with respect to claim 1 have been fully considered and are persuasive. The rejection of 10/09/2008 has been withdrawn.

Applicant's arguments in respect to the rejections of claims 18-20 filed on 01/09/2009 have been fully considered but they are not persuasive. Applicant addresses a hybrid-type dust collector as his invention, the dust collector as described in Specification is necessarily dry-type filter. It is understood that the filter type is dry-type, however, instant claims 18-20 cites: *filter is dry*. It is also understood that water being sprayed into the gas flow will make a wet gas, even the water, moisture to be collected at bottom of the Applicant's dust collector, water molecules will be in the gas at some equilibrium state, therefore, filter can not be dry when used in the filtration of wet gas.

#### *Allowable Subject Matter*

Claims 1-15 are allowed over the prior art of record.

#### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to IVES WU whose telephone number is (571)272-4245. The examiner can normally be reached on 8:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on 571-272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1797

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Examiner: Ives Wu

Art Unit: 1797

Date: February 24, 2009

/DUANE SMITH/  
Supervisory Patent Examiner, Art Unit 1797